

EXHIBIT A

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

COMPLAINT

1. Plaintiff David Ray Beals resides at Scarbro, Fayette County, West Virginia.
2. Defendant Terence W. Flolu is believed to reside at Glen Allen, Virginia.
3. Defendant Mazda Motor of America, Inc. (herein "Mazda"), is a corporation authorized and doing business in Fayette County, West Virginia at all times relevant herein.
4. On or about May 12, 2015, Plaintiff was operating his 2011 Honda CRV automobile, traveling on Route 612, toward Bishop Branch Road in Fayette County, West Virginia.
5. At the time and near the place aforesaid, Defendant Terence W. Flolu was operating a 2015 Mazda Single Unit truck, near Bishop Branch Road, Fayette County, West Virginia, when said Defendant Terence W. Flolu negligently operated said motor vehicle in such a manner as to cause it to collide with the motor vehicle driven by Plaintiff.
6. At all times pertinent hereto, Defendant Mazda negligently entrusted the 2015 Mazda Single Unit truck to Defendant Terence W. Flolu.
7. As a direct and proximate result of the negligence of the Defendants, as aforesaid, the Plaintiff suffered serious and permanent injuries to his head, neck, right shoulder, right knee, right shin, and left knee, incurred medical expenses in an amount not yet determined and reasonably expects to incur future medical expenses.

2017 MAY 10 P 2:18
FAYETTE COUNTY
CIRCUIT CLERK

Complaint
A TRUE COPY of an order entered
May 10, 2017
Teste: Arthur W. Beckins
Circuit Clerk Fayette County, WV

8. As a direct and proximate result of the negligence of Defendants, as aforesaid, Plaintiff incurred loss of income in not yet determined and reasonably expects to incur future loss of income.

9. As a direct and proximate result of the negligence of Defendants, as aforesaid, Plaintiff endured pain, suffering, mental anguish and emotional distress.

10. As a direct and proximate result of the negligence of Defendants, as aforesaid, Plaintiff has in the past and will in the future suffer a diminished capacity to enjoy life.

WHEREFORE, the Plaintiff prays for judgment against Defendants in such amount as justified by the evidence.

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

PLAINTIFF

BY COUNSEL

HEWITT & SALVATORE, *pllc*

BY:



Anthony M. Salvatore WV Bar No. 7915
204 North Court Street
Fayetteville, WV 25840
(304) 574-0272

[S:\PI\4633\4633COMPLAINT.frm]

SUMMONS

COPY

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-0489

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the above-named Defendant:

TERENCE W. FLOLU
5121 Dorin Hill Ct
Glen Allen, Virginia 23059

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, plaintiff's attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WV 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon plaintiff's attorney within **TWENTY (20)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 10, 2017

Clerk of Court

SUMMONS

COPY

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the Underinsured Carrier:

National General Insurance Company
Sally Hall, Claims Compliance Manager
5630 University Parkway
Mail Code 1A04
Winston Salem, NC 27105

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, plaintiff's attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon plaintiff's attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 10, 2017

Clerk of Court

COPY

SUMMONS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the above-named Defendant:

MAZDA MOTOR OF AMERICA, INC.
CT Corporation System
5400 D Big Tyler Road
Charleston, WV 25313

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, plaintiff's attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon plaintiff's attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 10, 2017

Clerk of Court

CIVIL CASE INFORMATION STATEMENT
CIVIL CASES

Paid \$200.00
S/P to SS

In the Circuit Court of Fayette County, West Virginia

I. CASE STYLE

Plaintiffs:

David Ray Beals,
c/o Anthony M. Salvatore, Esq.
204 N. Court Street
Fayetteville, WV 25840

Case #

17 - C - 109

JUDGE

Hatcher

2017 JUN 10 P 2:18
FAYETTE COUNTY
CIRCUIT CLERK

v.

Defendants:

Days to
Answer

Type of Service

Terence W. Flolu
5121 Dorin Hill Ct
Glen Allen, Virginia 23059

30

Sec of State

Mazda Motor of America, Inc.
CT Corporation System
5400 D Big Tyler Road
Charleston, WV 25313

30

Sec of State

To the Underinsured Carrier:

National General Insurance Company
Sally Hall, Claims Compliance Manager
5630 University Parkway
Mail Code 1404
Winston Salem, NC 27105

30

Sec of State

Original and nine (9) copies of COMPLAINT furnished herewith.

PLAINTIFF(S): David Ray Beals DEFENDANT(S): Terence W. Flolu, et al.	CIVIL ACTION NO.
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II. TYPE OF CASE:

TORTS	OTHER	CIVIL
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Adoption	<input type="checkbox"/> Appeal from Magistrate Ct
<input type="checkbox"/> Professional Malpractice	<input type="checkbox"/> Contract	<input type="checkbox"/> Petition for Modification of Magistrate Sentence
<input checked="" type="checkbox"/> Personal Injury	<input type="checkbox"/> Real Property	<input type="checkbox"/> Miscellaneous Civil
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Mental Health	<input type="checkbox"/> Other
<input type="checkbox"/> Other Tort	<input type="checkbox"/> Appeal of Administrative Agency	

III. JURY DEMAND: ☒ Yes ☐ NoCASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): **March 2018**IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY OR AGE? ☐ YES ☐ NO
IF YES, PLEASE SPECIFY:

- ☐ Wheelchair accessible hearing room and other facilities
☐ Interpreter or other auxiliary aid for the hearing impaired
☐ Reader or other auxiliary aid for the visually impaired
☐ Spokesperson or other auxiliary aid for the speech impaired
☐ Other: _____

Attorney Name: *Anthony M. Salvatore, Esq.*Firm: *HEWITT & SALVATORE, PLLC*

Address: *204 N. COURT ST., FAYETTEVILLE, WV 25840*
 Telephone: *(304) 574-0272*

Representing:

- ☒ Plaintiff
☐ Cross-Complainant

- ☐ Defendant
☐ Cross-Defendant

Dated: *May 8, 2017*


Signature

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

Danny Wright
Fayette County Courthouse
100 Court Street
Fayetteville, WV 25840-1517

2017 MAY 18 A 11:31
FAYETTE COUNTY
CIRCUIT CLERK

Control Number: 194743

Defendant: TERENCE W FLOLU
5121 DORIN HILL COURT
GLEN ALLEN, VA 23059 US

County: Fayette

Civil Action: 17-C-189

Certified Number: 92148901125134100002076044

Service Date: 5/12/2017

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Mac Warner".

Mac Warner
Secretary of State

Return
A TRUE COPY of an order entered
May 18, 2017
Teste: *Arthur W. Basile*
Circuit Clerk Fayette County, WV

SUMMONS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.
MAY 12 P 12:30
ACCEPTED FOR
FILE OF WEST VIRGINIA

To the above-named Defendant:

TERENCE W. FLOLU
5121 Dorin Hill Ct
Glen Allen, Virginia 23059

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, plaintiff's attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WV 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon plaintiff's attorney within **TWENTY (20)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 10, 2017

Arthur W. Baseler

Clerk of Court

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

Danny Wright
Fayette County Courthouse
100 Court Street
Fayetteville, WV 25840-1517

2017 MAY 18 A 11:31
FAYETTE COUNTY
CIRCUIT CLERK

Control Number: 194744

Defendant: MAZDA MOTOR OF AMERICA, INC.
5400 D Big Tyler Road
CHARLESTON, WV 25313 US

Agent: C. T. Corporation System

County: Fayette

Civil Action: 17-C-189

Certified Number: 92148901125134100002076051

Service Date: 5/12/2017

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

Mac Warner

Mac Warner
Secretary of State

A TRUE COPY of an order entered
Return
May 18, 2017
Teste: *Arthur W. Backus*
Circuit Clerk Fayette County, WV

SUMMONS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189 (H)

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the above-named Defendant:

MAZDA MOTOR OF AMERICA, INC.
CT Corporation System
5400 D Big Tyler Road
Charleston, WV 25313

ACCEPTED FOR
SERVING OF PROCESS
2017 MAY 12 P 12:30
CLERK OF COURT
STATE OF WEST VIRGINIA

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, **plaintiff's** attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon **plaintiff's** attorney within **THIRTY (30) days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have **or counterclaim** in the above-styled civil action.

Dated: MC

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

Danny Wright
Fayette County Courthouse
100 Court Street
Fayetteville, WV 25840-1517

2017 MAY 18 A 11:31
FAYETTE COUNTY
CIRCUIT CLERK

Control Number: 194742

Agent: SALLY HALL

Defendant: NATIONAL GENERAL INSURANCE
COMPANY
5630 UNIVERSITY PARKWAY
MAIL CODE 1A04
WINSTON SALEM, NC 27105 US

County: Fayette

Civil Action: 17-C-189

Certified Number: 92148901125134100002076037

Service Date: 5/12/2017

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your authorized insurance company.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your authorized insurance company as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

Mac Warner

Mac Warner
Secretary of State

A TRUE COPY of an ^{Return} order entered
May 18, 2017
Teste: Atwood, Barbara
Circuit Clerk Fayette County, WV

SUMMONS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the Underinsured Carrier:

National General Insurance Company
Sally Hall, Claims Compliance Manager
5630 University Parkway
Mail Code 1A04
Winston Salem, NC 27105

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon ANTHONY M. SALVATORE, **plaintiff's** attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon **plaintiff's** attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have in the above-styled civil action.

Dated: 4/1

SUMMONS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

DAVID RAY BEALS,

PLAINTIFF,

V.

CIVIL ACTION NO. 17-C-189

TERENCE W. FLOLU and
MAZDA MOTOR OF AMERICA, INC.,

DEFENDANTS.

To the Underinsured Carrier:

National General Insurance Company
Sally Hall, Claims Compliance Manager
5630 University Parkway
Mail Code 1A04
Winston Salem, NC 27105

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon **ANTHONY M. SALVATORE**, plaintiff's attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon plaintiff's attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have in the above-styled civil action.

Dated: 4/1